

Judge Burgess

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DESIRE C. GARRED,

Defendant.

No. CR06-5495FDB

ORDER GRANTING
CONTINUANCE OF
TRIAL DATE

A Motion to Continue the Trial and Memorandum in Support has been filed by the defendant. The Court has reviewed the pleadings and for the reasons stated herein, the Motion to Continue the Trial Date is **GRANTED**.

In view of the foregoing, the court finds and rules as follows:

1. The Court finds that a failure to grant a continuance in this matter would deny the defense the reasonable time necessary for effective preparation taking into account the exercise of due diligence. Title 18 U.S.C. 3161 (h)(8)(B)(iv).
2. The Court further finds that the ends of justice served by granting the requested continuance outweigh the interest of the public and the defendant in a speedy trial. Title 18 U.S.C. (h)(8)(A). The period of delay resulting from this continuance from October 10, 2006, up to and including the new trial date of December 11, 2006, is excluded for speedy trial computation purposes under 18 U.S.C. 3161 (h)(8)(A) and (B) as this is a reasonable period of delay.

ACCORDINGLY:

The Jury Trial is **CONTINUED** to December 11, 2006.

The Motions Cutoff date is extended to October 17, 2006.

It is so ordered this 26th day of September, 2006.

A handwritten signature in black ink, appearing to read 'Franklin D. Burgess', is written over a horizontal line.

FRANKLIN D. BURGESS

UNITED STATES DISTRICT JUDGE